

Abstract

Title: Comparison of legal regulation of notice of termination in the Czech Republic and Poland

The aim of this master thesis is the comparison of legal regulation of notice of termination of employment relationship in the Czech Republic and Poland. This paper provides an overview of the legislation of notice of termination in these two states and in the end contains the comparison and evaluation of legal regulations concerned. The work consists of eight chapters, introduction and conclusion.

The first chapter outlines the international and European legislation related to labour law with emphasis on termination of employment. The chapter contains a number of international conventions adopted in particular within the ILO as well as European legislation which deals with this issue.

The second chapter contains treatise on termination of employment relationship in general, where the basic sources of national labour law in each country and a brief description of all forms of termination of employment relationship are stated. This chapter also contains a brief description of the relationship between civil and labour law and its development.

The third chapter discusses the substantive aspects of notice of termination. It starts with general commentary on the concept of notice of termination, continues by describing the regulation of subjects of the basic employment relationship, forms of notice of termination and its delivery, followed by a presentation of the required content of the notice, its withdrawal and the conclusion of this chapter deals with the obligation of the employer to discuss the notice of termination with a trade union.

The fourth chapter contains detailed analysis of the legislation of the notice of termination given by an employer, starting with Czech legislation and the analysis of the various reasons for notice of termination, followed by the analysis of the reasons for notice of termination in Poland. The next part of this chapter deals with the prohibition of the notice of termination and the final part of this chapter deals with legislated exceptions to the prohibition notice of termination.

The fifth chapter focuses on the legal regulation of the notice of termination given by an employee with respect to the requirements of the law.

The sixth chapter explains institutes related to the termination of employment relationship such as the rules of severance, labour assessment and a certificate of employment.

Chapter number seven discusses the issue of invalid termination of employment and dismissal claims arising from it, when at first it describes the legal regulation of invalid termination of employment by notice given by the employer and subsequently given by the employee.

The last eighth chapter contains a comparison and evaluation of the legislation of termination of employment relationship in the Czech Republic and Poland.